

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	\$	OTHER	NUMBER	DEM.	YR.	NUMBER
1085/4	76	0522	10	18	76	4	360	2	12				8510	D	76	0522-C

PLAINTIFFS

THOMAS MICHAEL RITCHIE

DEFENDANTS

McDOUGAL CONSTRUCTION COMPANY
a corporation

CAUSE

Personal injury action in which the United States District Court for the Northern District of Oklahoma would have jurisdiction and venue pursuant to 28 USCA, §1331, and 28 USCA, §1391. Removed from District Court of Tulsa County, Oklahoma to United States District for the Northern District of Oklahoma pursuant to 28 USCA, §1441.

ATTORNEYS

Gerry Swanson, Terrell DoRemus
Swanson & DoRemus
711 Thurston National Building
Tulsa, Oklahoma 74103
584-4431

Jack Thomas
200 Franklin Building
Tulsa, OK 74103
582-8877

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 11-1-76

JS-6 12-1-77

DATE	NR.	PROCEEDINGS
<u>1976</u>		
10-18	1.	Petition for removal from Dist. Ct. of Tulsa Co., filed. ph
10-18	2.	Notice of filing of petition and bond for removal, filed. ph
10-18	3.	Bond on removal, filed. ph
10-18	4.	Deft's DEMAND FOR JURY TRIAL, filed. ph
10-18	5.	Ans. of deft., filed. ph
10-20	6.	Ack. of the Clerk of Dist. Court in Tulsa Co., of receipt of copy of notice, petition and bond for removal, filed. ph
11-3	MO:	Case set for PT hearing on 2-1-77 at 3:30 p.m. (HDC-J)ph notices mld
11-10	7.	Deft. notice to take deposition of pltf. Thomas Ritchie on 11/16/76 at Tulsa, filed. Subpoena issued. rm
12-16		Deposition of Thomas M. Ritchie taken on behalf of deft. (Fees: \$99.00 pd. by deft.)hm
<u>1977</u>		
1-13	MO:	Case reset for PT hearing on 3-2-77 at 3:30 p.m. (HDC-J)ph cps mld
3-2	MO:	PT hearing held. Statements made. PT memo. filed in open court. PT order to be filed by 4-8-77. Parties to exchange requested documents & photos. Complaint amended by interlineation. Discovery to be complete by 3-31. PT briefs, requested instr. & req. voir dire to be filed by 5-2. All exhibits to be marked & to Clerk by 5-2. If any obj. to exhibits, parties to advise Court. Case set for jury trial 5-16-77 at 9:30 a.m. (HDC-J)hm
3-2	8.	PT memorandum, filed in open court. hm
4-22	9.	PT Order, filed. Cps. mld. nb (HDC-J)
4-25	10.	Defendant's List of Witnesses, filed. nb (Xerox copy)
5-2	11.	Pltf's requested Voir Dire, filed. ph
5-12	MO:	Case stricken from jury docket of 5/16/77, to be reset by the Court. (HDC-J)rm-letter written
5-12	--	Subpoenae, ret. & filed: served Dr. C. E. Anderson, Dr. Walter Cale, Dr. Ed Felmler & Dwight Green: unexecuted as to Ed Tillman and Dr. Norman L. Dunitz at req. of counsel. g
5-12	12.	Deft's Trial Brief, filed. njb
6-13	MO:	Case set for jury trial 9-12-77 at 9:30 a.m. (HDC-J)hm (notices mailed)
7-27	MO:	Case set for J/T in MIAMI, OKLA. on 9-12-77 at 9:30 a.m. (HDC-J)hm (notices mailed)
8-5	13.	Pltf's motion to strike case from trial setting, filed. ph (O to J)
8-18	14.	Order, filed, striking case from trial setting 9-12-77 and resetting case for trial 10-17-77. (HDC-J) copies to movantjj
10-17	--	Return on USM service of subpoenas, filed. Served Drs. C. E. Anderson and Norman L. Dunitz on 10-12-77 at Tulsa, OK. Served Dr. Walter Cale at Sapulpa, OK, Ed Tillman at Owasso, OK, and Dwight Green at Broken Arrow, OK, all on 10-13-77. Subpoena to Dr. Ed Felmler returned unserved at pltf's request. USM: \$17.68.k
10-19	MO:	Jury trial held October 17, 18 & 19. Jury empaneled, admonished & sworn. Rule invoked. Opening statements made. Pltf. presents case in chief w/test. of witnesses & introduction of exhibits. Pltf. rests. Deft's mo/directed verdict denied. Deft. presents case in chief w/test. of witnesses & rests. Pltf. presents rebuttal evidence w/test of witnesses and rests. Parties rest. Deft's renewed mo/dismissal denied. Deft's mo/directed verdict, overruled. Closing arguments given.

(cont)

COOK

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-522</u>
THOMAS MICHAEL RITCHIE		McDOUGAL CONSTRUCTION CO.	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
<u>1977</u>		
10-19-77		(Cont) Instructions given to the Jury. Bailiff sworn. Jury retires to deliberate at 10:50 a.m. on 10-19-77, & return with verdict in favor of deft. at 12:55 p.m. on 10-19-77. Verdicts ordered received, read & filed in open court. Judgment to be prepared by deft. counsel. (HDC-J)ph
10-19		Trial exhibits, filed. (Some in file, X-Rays in Exhibit Room)ph
10-19		Instructions to the jury, filed in open Court. (HDC-J)ph
10-19		Verdict, filed in open court, for the deft. McDougal Construction Co. ph
11-16	15.	Journal entry of judgment, filed and entered, that judgment be entered in favor of the deft. and against the pltf. (HDC-J)ph cps mld
12-12	----	Upon advice of pltf. counsel that they do not desire to appeal, pltf. orig. trial exhibits returned to them. rm
2-27-78	--	Reporter's partial transcript of proceedings had on 10-17-77, Jury Trial, filed. ph (pp. 1-6)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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